

Remarks:

1. Rejections.

Claims 1-9 currently are pending in this application. As noted above, Applicant acknowledges with appreciation that the Examiner indicates that claims 3 and 8 contain allowable subject matter and that these claims would be allowable if rewritten in independent form to include the limitations of their base claim and any intervening claims. Nevertheless, claims 1, 2, 4, 6, 7, and 9 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by Japanese Patent Application No. 49-034435 (“JP’435”). In addition, claim 5 stands rejected under 35 U.S.C. § 103(a), as allegedly rendered obvious by JP’435, as applied to claim 1, in view of U.S. Patent No. 4,611,867 to Ichimura et al. (“Ichimura”). Applicant respectfully traverses.

2. Anticipation.

As noted above, claims 1, 2, 4, 6, 7, and 9 stand rejected under as allegedly anticipated by JP’435. In order to anticipate, the cited reference must disclose each and every element of the claimed invention. In view of the amendments to claim 1, however, claim 1 now describes elements that the Office Action acknowledges are not disclosed by JP’435. Further because claims 4, 6, 7, and 9 depend from claim 1, those claims also describe element that are not disclosed by JP’435. In addition, because new claim 10 includes the limitations of original claims 1 and 6-8 and because the Examiner indicates that claim 8 contains allowable subject matter, Applicant maintains that claim 8 is not anticipated by JP’435.

In view of the foregoing amendments and remarks, Applicant maintains that claims 1, 4, 6, 7, 9, and 10 now are allowable. Therefore, Applicant respectfully requests that the Examiner withdraw the anticipation rejections of claims 1, 4, 6, 7, and 9 and allow these claims.

3. Obviousness.

As noted above, claim 5 stands rejected as allegedly rendered obvious by JP’435, as applied to claim 1, in view of Ichimura. Claim 5 depends directly from amended claim 1. “If an independent claim is non-obvious under 35 U.S.C. 103, then any claim dependent therefrom is non obvious.” MPEP 2143.03. Therefore, in view of Applicants’ foregoing remarks with respect to the rejection of claim 1, the rejection of claim 5 is untenable. Therefore, Applicant respectfully requests that the Examiner withdraw the obviousness rejection of claim 5.

Conclusion:

Applicant respectfully submits that this application, as amended, is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that an interview with Applicant's representatives, either in person or by telephone, would expedite prosecution of this application, we would welcome such an opportunity.

Respectfully submitted,
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